IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 9087 of 2004

Between:

D. Murali, S/o. D. Venkateswarlu,
R/o. Quarter No. B-4/2, NIIT Staff Quarters, NIIT Warangal.

... PETITIONER

AND

1 The Director, National Institute of Technology,
(Regional Engineering College) Warangal - 506 004.
2 The Registrar, National Institute of Technology,
(Regional Engineering College) Warangal - 506 004.
3 The Dean (Administration) National Institute of Technology,
(Regional Engineering College) Warangal - 506 004.
4 The Chairman, National Institute of Technology,
(Regional Engineering College) Warangal - 506 004.
5 The Ministry of Human Resources Devlopment Represented by its

Secretary, Shastri Bhavan, New Delhi.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate Writ, order or direction preferably a writ in the nature of Mandamus by declaring action of the respondent in terminating the services of the petitioner with effect from 14-5-2004 by its proceeding No. C3/111/adhoc lectures/2004/841 and in not regularizing the services of the petitioner is unfair, unreasonable, improper arbitrary and void and is in violation of article 14, 15, 16 and 21 of the Constitution of the India consequently direct the respondents to regularize the services of petitioner by giving all service benefits including pay scales and allowances with effect from date of initial appointment of the petitioners in the posts in which they are working or in any other suitable/eligible posts by set-asiding the impugned order dated 7-5-2004

Counsel for the Petitioner: MR.P.MEHAR SRINIVASA RAO

Counsel for the Respondents 1 to 4: MR.NOOTY RAMA MOHAN RAO

Counsel for the Respondent 5: Mr. C.H. SRINIVASA RAO, SC for Central Government

The Court made the following order:

ORDER:

The petitioner questions the notice issued by the first respondent dated 07.05.2004 in terminating the services of the petitioner with effect from 14.05.2004, since his services were no more required. This Court directed to maintain *status quo*. Counter has been filed stating that the petitioner himself submitted resignation for the post of *ad hoc* lecturer and therefore it is not a case of termination but it is a case of resignation. Pursuant to the resignation only the petitioner was terminated from services, as his services were no more required.

Accordingly, the writ petition is dismissed and the earlier order directing to maintain *status quo* is vacated. There shall be no order as to costs.

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(V. ESWARAIAH, J)

August 02, 2004

Dsk/Shr

To

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6 Two CD Copies